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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

FEDERAL TRADE COMMISSION,)	Case No. 2:06-CV-1644-JCM-PAL
)	
Plaintiff,)	STIPULATION TO EXTEND
)	HEARING DATE FOR
v.)	EMERGENCY MOTION FOR
)	PROTECTIVE ORDER BY
INTERBILL, LTD. <i>et al.</i>)	DEFENDANT THOMAS WELLS,
)	MOVANT PRIORITY PAYOUT
Defendants.)	CORP.
)	(Third Request)
)	

IT IS HEREBY STIPULATED by and between the parties, Plaintiff Federal Trade Commission ("FTC"), Defendant Thomas Wells, and Movant Priority Payout Corp. (collectively "the Parties"), by and through their respective counsel of record, that the date for the hearing on the Emergency Motion for Protective Order (the "Motion") [ECF No. 62], currently set for February 5, 2019 at 1:45 p.m., should be continued for a period of at least 45 days.

The Parties have reached agreement on a proposed final settlement, which Thomas Wells and Priority Payout Corp. have signed. Plaintiff will submit the proposed final settlement to the FTC Commissioners for review. Counsel are informed and believe that it will likely take between eight and twelve weeks to secure this approval. While this process began in mid-December, the normal operations of the Commission were suspended for four weeks due to a

1 lapse in appropriations. Normal operations have now resumed. Counsel anticipate that, under
2 present circumstances, the Commission's review may take an additional six to ten weeks. If the
3 FTC Commissioners approve the proposed final settlement, counsel will file the stipulated final
4 order for the Court's approval. If the FTC Commissioners do not approve the proposed final
5 settlement, and the Parties are unable to agree on revisions sufficient to secure such approval,
6 counsel will promptly notify the Court.

7 Approval of the Parties' proposed final settlement by the Commission, and its entry by
8 this Court, will render the hearing on the Motion unnecessary. A continuance of the hearing to
9 allow time for the settlement to be approved will avoid potentially-unnecessary costs to the
10 Parties and serve the interests of judicial efficiency.

11 For these reasons, the Parties request that the Court continue the February 5, 2019
12 hearing until April 9, 2019, or such other date thereafter as may be convenient for the Court.

13 There is good cause for the Court to continue the hearing, particularly considering the
14 above-described lapse in appropriations. This is the Parties' third stipulation and request to
15 extend the hearing date, and is not sought for reasons of delay or for any improper purpose.

16 IT IS FURTHER STIPULATED that the Parties shall have the option to appear for the
17 hearing on the Emergency Motion for Protective Order by telephone.

18
19 **SO STIPULATED AND AGREED:**

20 **FOR PLAINTIFF:**
21 **FEDERAL TRADE COMMISSION**

22 /s/ Andrew S. Hudson
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24 KAREN S. HOBBS
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Date: January 30, 2019

1 **FOR DEFENDANT AND MOVANT:**

2
3 /s/ J. Malcolm Devoy (with permission)
4 J. MALCOLM DEVOY, ESQ.
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Date: January 30, 2019

9 THEODORE F. MONROE, ESQ. (admitted *pro hac vice*)
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13 (213) 233-2272 / monroe@tmflaw.com
14 *Attorneys for Defendants Thomas Wells*
15 *and Interbill, Ltd. and its successor,*
16 *Priority Payout Corp.*

17 **[PROPOSED] ORDER**

18 For good cause appearing, the Parties' foregoing stipulation is GRANTED. It is
19 **ORDERED** that the hearing scheduled in this matter for February 5, 2019 at 1:45 p.m. is
20 **VACATED**, and such hearing is re-set to the date and time set forth below:

21 Date: April 11, 2019 Time: 10:00 a.m.

22 Additionally, the Parties' counsel shall have permission to appear telephonically at this
23 rescheduled hearing, and shall make arrangements with chambers for such
24 telephonic appearances before the hearing date **no later than April 9, 2019**.

25 Dated this 1st day of February, 2019.

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28 UNITED STATES MAGISTRATE JUDGE

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Via CM/ECF:

*Attorney for Thomas Wells and Priority
Payout, Corp.*

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